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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

KEVIN HALPERN,

Plaintiff,

v.

CITY OF SANTA CRUZ, ABRAHAM  
RODRIGUEZ, DAVID PERRY, and  
DOES 1 through 20, inclusive,

Defendants.

CASE NO. C 02-05557 JW

SUPPLEMENTAL DECLARATION OF  
PLAINTIFF KEVIN HALPERN IN  
OPPOSITION TO DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT OR IN THE  
ALTERNATIVE, FOR SUMMARY  
ADJUDICATION

Date: March 22, 2004  
Time: 8:30 a.m.  
Dept.: 8

I, KEVIN HALPERN, declare and state as follows:

1. I am the plaintiff in the above described action. The facts set forth herein are stated on my own personal knowledge and if called as a witness, I could and would competently testify to the facts contained herein under oath.

2. From the time that I first was contacted by Officers Rodriguez and Perry early in the morning of January 8, 2002, until the time that I was released by them, I was wearing the hooded sweatshirt that can be seen in the picture attached to the declaration of my attorney, Douglas C. Kane, as Exhibit D.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on this 12<sup>th</sup> day of March, 2004, at Santa Cruz, California.

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KEVIN HALPERN